REMARKS

The present application was filed on September 12, 2003 with claims 1 through 6. Claims 1 through 6 are presently pending in the above-identified patent application. Claims 1, 3, 5 and 6 are proposed to be amended herein. This amendment is submitted with a Request for Continued Examination (RCE) and should be entered.

In the Office Action, the Examiner rejected claims 1, 2, 4 and 5 under 35 U.S.C. §103(a) as being unpatentable over United States Patent No. 5,889,759 ("McGibney"), in view of United States Patent No. 6,556,639 ("Goldston et al.") and further in view of United States Patent No. 6,693,958 B1 ("Wang et al."). The Examiner also rejected claims 3 and 6 under 35 U.S.C. §103(a) as being unpatentable over McGibney, Goldston, Wang and in view of Sato et al. (United States Patent No. 5,596,582).

Independent Claims 1, 3, 5 and 6

Independent claims 1, 3, 5, and 6 were rejected under 35 U.S.C. §103(a) as being unpatentable over McGibney, in view of one or more combinations of Goldston et al., Wang et al. and Sato et al. Regarding claims 1 and 5, for example, the Examiner acknowledges that McGibney and Goldston et al. do not expressly disclose the step of continuously monitoring each received frame for the synchronizing pattern at periodic frame intervals, but asserts that Wang teaches a similar synchronization process for the forward error correction decoding wherein it is a common practice of synchronization process to continuously (repeatedly) monitor (in an acquisition state) each received frame for the synchronizing pattern (fixed known sync pattern) at periodic frame intervals (col. 8, lines 18-67).

Applicants note that the independent claims of the present application have been amended to require monitoring *a guard period of* each received frame for a *predefined interleaver synchronizing pattern*; and continuously monitoring *the guard period of* each received frame for said *predefined interleaver synchronizing pattern* at periodic frame intervals.

Applicants also note that McGibney and Wang are not directed to *interleaver synchronization*.

To the extent that Goldston et al. disclose an interleaver synchronizing pattern, it is not present in the guard period. Rather, control bits are merely transmitted in "each of a

plurality of control frames." Col. 1, lines 61-62. While a guard band is mentioned, for example, at col. 4, lines 29-36, there is no suggestion of transmitting a *predefined interleaver synchronizing pattern* in the guard band.

Thus, McGibney, Goldston et al., and Wang et al., alone or in combination, do not disclose or suggest monitoring *a guard period of* each received frame for a predefined interleaver synchronizing pattern; and continuously monitoring *said guard period of* each received frame for said predefined interleaver synchronizing pattern at periodic frame intervals, as required by independent claims 1, 3, 5, and 6, as amended.

Dependent Claims

Dependent claims 2 and 4 were rejected under 35 U.S.C. §103(a) as being unpatentable over McGibney, in view of Goldston et al., and further in view of Wang et al.

Claims 2 and 4 are dependent on claims 1 and 3, respectively, and are therefore patentably distinguished over McGibney, Goldston et al., and Wang et al., alone or in combination, because of their dependency from amended independent claims 1 and 3 for the reasons set forth above, as well as other elements these claims add in combination to their base claim.

All of the pending claims following entry of the amendments, i.e., claims 1-6, are in condition for allowance and such favorable action is earnestly solicited.

If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

The Examiner's attention to this matter is appreciated.

Respectfully submitted,

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